

BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY
WASHINGTON BOROUGH COUNCIL MINUTES -May 16, 2017

The Regular Meeting of the Borough Council of Washington, Warren County, New Jersey was held in the Council Chambers of Borough Hall at 7:00 P.M.

Roll Call: Heinrich, Higgins, Jones, Klimko, Noone, Thompson and Valle

Also Present: Matt Hall, Manager
Laurie Barton, Borough Clerk
Attorney, Tara S. Angelo

Mayor Higgins led everyone in the flag salute.

Mayor Higgins read the following Statement into the Record:

“The requirements of the ‘Open Public Meetings Law, 1975, Chapter 231’ have been satisfied in that adequate notice of this meeting has been published in the Star Gazette and posted on the Bulletin Board of Borough Hall stating the time, place and purpose of the meeting as required by law.”

Mayor Higgins read a statement for the public regarding the recent arrest of the former Borough Clerk.

COUNCIL APPEARANCE:

Hernan Valverde, owner of the cupcakery in the Borough to discuss the ongoing issue of parking for customers and inquired about alleviating the issue.

Alice (last name not given), asked who is responsible for taking care of the graves and putting rocks and trees along the creek.

John Monteverde, BID Executive Director, distributed three samples of flyers that will be given out for upcoming events. These will be distributed to all the schools in the area; Green Fest (June 3rd), Farmers Market and car show (June 24th).

Spring and Summer banners will be going up soon.

Mr. Monteverde reported on the Welcome sign and stated it is being replaced and will have a wind barrier behind it. The flower pots will be going out this Sunday.

Mr. Monteverde thanked Mary jo Harris for all her efforts.

Robert Kirchner, Captain, Emergency Squad, read a prepared statement regarding the recent investigation of one of their members.

Mayor Higgins stated that this organization is a professional organization and has no doubt that this was an isolated incident and gave appreciation to those who volunteer.

Motion made by Heinrich seconded by Thompson, to close the audience portion of the meeting.

Ayes: 7, Nays: 0
Motion Carried

REPORTS:

Motion was made by Heinrich, seconded by Thompson to receive and file the following reports:

1. Washington Township Police Report-Press Release April 30, 2017
2. Warren County Health Report May 10, 2017
3. Fire Official April, 2017

Ayes: 7, Nays: 0
Motion Carried

COMMITTEE REPORTS:

Streets-Klimko gave an update on the paving of the streets project. Milling and paving will begin June 20th. Chipping and Tar will begin in August and September.

Discussions ensued regarding paving West Warren Street and the water project from Aqua.

Recreation-Klimko, stated that the pool is scheduled to be opened on June 1st. Conducting background checks on lifeguards was discussed.

Library-Rev. Bauknight state that the library is moving forward with a new phone system. The landscaping is almost finished. Issues of interlibrary sharing of material are being resolved. The weeding is still ongoing. They are working on the budget and waiting on the final audit report.

ORDINANCE:

Motion made by Heinrich and seconded by Klimko to open the public portion for Ordinance 2017-01.

Rev. Bauknight inquired about photographing.

Motion made by Heinrich, seconded by Klimko, to close the public portion of Ordinance 2017-01.

ROLL CALL: Heinrich, Klimko, Jones, Thompson, Valle, Higgins
Ayes: 6 Nays: 0
Motion Carried

Motion made by Heinrich and seconded by Thompson to adopt Ordinance 2017-01 on second reading. Discussion: Mayor Higgins inquired about removing “game cartridges” on page 2. No action taken on Mayors Higgins inquiry.

ROLL CALL: Heinrich, Thompson, Jones, Klimko, Valle, Higgins
Ayes: 7 Nays: 0
Motion Carried

ORDINANCE #2017-01
ORDINANCE OF THE BOROUGH OF WASHINGTON, COUNTY OF WARREN,
STATE OF NEW JERSEY CREATING CHAPTER ____ OF THE CODE OF
THE BOROUGH OF WASHINGTON ENTITLED “UNIFIED ELECTRONIC
REPORTING SYSTEM FOR DEALERS IN PRECIOUS METALS AND OTHER
SECONDHAND GOODS”

§__-1 Purpose and Intent

The purpose and intent of this chapter is to assist law enforcement officials and victims of crime in recovering stolen precious metals and certain other secondhand goods as defined herein by requiring minimum identification, reporting, maintenance and distribution criteria for licensed dealers in these goods.

No person shall use, exercise, or carry on the business, trade, or occupation of the buying, selling, or pawning of precious metals or other secondhand goods without complying with the requirements of this chapter in the exact manner described herein.

§__-2 Definitions

“ACCEPTABLE IDENTIFICATION” means a current valid New Jersey Driver’s License or Identification Card, a current valid photo driver’s license issued by another US state, a valid United States Passport, or other verifiable US Government issued identification, which will be recorded on the receipt retained by the dealer and subsequently forwarded to the local police department on request.

“DEALER” means any person, partnership, limited liability company, corporation, or other entity, who either wholly or in part, engages in or operates any of the following trades or businesses: the buying for purposes of resale of precious metals, jewelry

comprised of any precious metal or precious stone or gemstone, or other secondhand goods as defined herein; pawnbrokers as defined herein; itinerant business as defined herein. For the purpose of this ordinance, transient buyers, as defined herein, are subject to the same licensing and reporting requirements as any other dealers.

“ITINERANT BUSINESS” means a dealer who conducts business intermittently within the municipality or at varying locations.

“MUNICIPAL CLERK” means the statutory officer whose duties are defined in N.J.S.A. 40A:9-133 and may refer to the duly appointed clerk of the “city,” “town,” “township,” “village,” or “borough.”

“PAWNBROKER” means any person, entity, partnership, association or corporation: lending money on deposit or pledge of personal property, other than choses in action, securities, or printed evidences of indebtedness; purchasing personal property on condition of selling it back at a stipulated price; or doing business lending money on goods, wares or merchandise pledged or deposited as collateral security.

“PRECIOUS METALS” means gold, silver, platinum, palladium, and their alloys as defined in N.J.S.A. 51:5-1 et seq. and N.J.S.A. 51:6-1 et seq.

“PRECIOUS STONE OR GEMSTONE” means any of several gems including the diamond, emerald ruby, and sapphire that historically had a high economic value because of rarity or appearance.

“PUBLIC” means individuals and retail sellers, not to include wholesale transactions or transactions between other merchants.

“REPORTABLE TRANSACTION” means every transaction conducted between a dealer and a member of the public in which precious metals, jewelry, or any other secondhand goods as defined herein are purchased or pawned.

“SECONDHAND GOODS” means gold, silver, platinum or other precious metals, jewelry comprised of any precious metal and/or precious stone or gemstones, coins, gemstones, gift cards, any tools, cellular phones, GPS devices, computers, computer hardware, television sets, handheld electronics, I-pods, game cartridges, game systems, DVD's, CD's, cameras and camera equipment. For the purpose of this ordinance, secondhand goods shall not include goods transacted in the following manner: i) judicial sales or sales by executors or administrators; ii) occasional or auction sales of household goods sold from private homes; iii) auctions or real estate; iv) the occasional sale, purchase, or exchange of coins or stamps by a person at his permanent residence or in any municipally owned building who is engaged in the hobby of collecting coins or stamps and who does not solicit the sale, purchase, or exchange of such coins or stamps

to or from the general public by billboard, sign, handbill, newspaper, magazine, radio, television, or other form of printed or electronic advertising.

“SELLER” means a member of the public who sells or pawns used goods such as precious metal, jewelry comprised of precious metal or precious stone or gemstone, or other secondhand goods to a dealer.

“TRANSIENT BUYER” means a dealer, as defined herein, who has not been in a registered retail business continuously for at least six (6) months at any address in the municipality where the Dealer is required to register or who intends to close out or discontinue all retail business within six (6) months.

§__-3 License Requirement for dealers

No person, partnership, limited liability company, corporation, or other entity shall engage in the business of buying, selling, or pawning of precious metals or other secondhand goods, as defined above, within the jurisdiction of the municipality, without having first obtained a license therefore from the Municipal Clerk, which license shall bear a number issued by the Municipal Clerk. The application for a license to the Municipal Clerk shall set forth the name, date of birth, and address of the dealer, whether or not he or she is a citizen of the United States, and whether or not he or she has ever been convicted of any crime(s), disorderly persons offense(s), or municipal ordinance violation(s), and the date(s) thereof. Advertising in any print or electronic media or by sign that any of those articles or secondhand goods referred to in § 2 above are being bought in any location within the municipality shall constitute engaging in business as a dealer of secondhand goods for purposes of this chapter. No person, partnership, limited liability company, corporation or other entity shall place or cause to be placed any advertisement for purchase of such articles or goods without stating in the advertising the license number issued to a person or entity by the municipality. In any print advertisement, the license number shall appear in type no smaller than eight point in the lower-right-hand corner of the advertisement. In any advertisement in electronic media, the license number shall be visually or audibly stated. Failure to state or indicate the license number shall be a violation of this chapter and shall be subject to the penalties established in § 9.

§__-4 Application process for dealers; approval or denial

- A) Upon receipt of an application completed pursuant to this chapter, the Municipal Clerk shall refer such application to the Chief of Police, who shall make an investigation of the prospective licensee, pursuant to this chapter for the purpose of determining the suitability of the applicant for licensing. The investigation shall include, but shall not be limited to the following:

- 1) The experience of the applicant in the business of purchase and sale of those articles or goods referred to in § 2 above, although nothing in this section shall be construed to warrant denial of a license solely on the basis of lack of experience;
 - 2) The reputation of the applicant for fair dealing in the community, which shall be made among credible sources, which sources shall be disclosed to the applicant in the event of a denial of any license;
 - 3) Any criminal record of the applicant including any past convictions for any crime(s), disorderly persons offense(s), or municipal ordinance violation(s) within this or any other jurisdiction. The Chief of Police may, as part of the application process, require a fingerprint criminal background check through the Federal Bureau of Investigation, Criminal Justice Information Services Division, which may require an additional fee from the applicant.
 - 4) The type of operation contemplated to be conducted by the applicant, particularly whether the business is to be operated from a fixed location, whether it is to be conducted from a location primarily devoted to the purchase and sale of precious metal or other secondhand goods, and other factors bearing on whether the licensed business will be of a fixed and permanent nature. This section shall not be construed to require denial of any license solely on the grounds that the business is not from a fixed location or that the applicant is a transient buyer or itinerant business, however applicants who fall under the category of a transient buyer or itinerant business must state with specificity the license application the business address where transaction records required by § 6(D) of this chapter will be stored as well as the location where purchased goods will be retained during the mandatory inspection period required under § 6(A).
- B) The Chief of Police shall complete any investigation pursuant to this chapter within thirty (30) days of the submission of the application to the Municipal Clerk, fully completed by the applicant. If a criminal record check has been requested within the thirty-day period, and has not been received by the Chief of Police within that period, the Chief of Police may, if all other factors are satisfactory, recommend a conditional issuance of the license subject to the finding regarding criminal record.
- C) The Chief of Police shall, upon completion of the investigation, recommend “grant” or “denial” of the license to the Municipal Clerk, who shall grant or deny the license. Any recommendation of the Chief of Police shall be in writing and, in the case of a recommendation of denial, shall state fully and specifically the

reasons for said recommendation. If the Municipal Clerk accepts the recommendation for the Chief of Police to deny any license, the applicant shall be notified in writing within ten (10) days of such denial and the clerk shall forward to the applicant a statement of the reason or reasons for such denial.

- D) Grounds for recommending denial of license may include reliable information indicating that the applicant has in the past engaged in fraudulent or deceptive business practices in a business identical to or similar to a dealer in secondhand goods. A license may be denied if the investigation reveals a conviction of the applicant or any of its principal officers or employees of any crime(s), disorderly persons offense(s) in which deceit or misrepresentation is an element; or any conviction of any crime(s), disorderly persons offense involving theft or the receiving before the fact, after the fact, or a co-conspirator; or any prior municipal ordinance violation(s) by the applicant or any of its principal officers or employees in this or any other jurisdiction. A license may be denied if the applicant fails to demonstrate an ability to satisfactorily comply with the electronic reporting requirements specified in § 5, the retention and inspection requirements of § 6, or any other portion of this chapter. Upon receipt of the recommendation of the Chief of Police, the Municipal Clerk shall issue or deny the license accordingly, contingent upon the receipt of a bond as required by § 8 of this chapter.
- E) Whenever any application for a permit is denied, the applicant shall be entitled to a hearing before a three-person panel appointed by the Chief of Police, at which time the applicant shall be permitted to introduce such evidence as may be deemed relevant to such denial. Any applicant exercising the right to appeal must file a written notice of appeal within ten (10) days of receiving written notice of denial of a license to act as a dealer of secondhand goods.
- F) No license shall be assignable by the dealer.

§__-5 Identification of seller; recordkeeping requirements for dealers

For every reportable transaction between a dealer and the public, the dealer shall be required to do as follows:

- A) Require of each person selling or pawning precious metals or other secondhand goods, acceptable identification as defined above in § 2
- B) Require each seller to execute a "Declaration of Ownership," which shall contain the following certification: *"My signature confirms that I am the sole legal owner of and am legally authorized to sell the goods being sold. By signing below, I certify that I did not obtain and do not possess the identified good through*

unlawful means. I am the full age of eighteen years and the identification presented is valid and correct."

- C) Record and issue to each person selling or pawning such goods on a sequentially numbered receipt:
- a. the name, address, and telephone number of the purchaser, including the clerk or employee of the licensee making the purchase;
 - b. the name, address, date of birth, and telephone number of the seller or sellers;
 - c. a photographed record of the seller in a format acceptable to the Chief of Police, along with a physical description of the seller, including height and weight (approximate), hair color, eye color, facial hair, if any, etc.;
 - d. a photographed record of the seller's presented acceptable identification, as set forth in § 2, in a format acceptable by the Chief of Police;
 - e. a photographed record of all items sold in a format acceptable by the Chief of Police. When photographing, all items must be positioned in a manner that makes them readily and easily identifiable;
 - f. the receipt number;
 - g. a detailed, legible description of the item(s) and the manufacturer and model of the item(s) if known; in the case of jewelry, the descriptions must include style, length, color, design, and stones, if any; any identifying marks, including numbers, dates, sizes, shapes, initials, names, monograms, social security numbers engraved thereon, serial numbers, series numbers, or any other information, which sets apart the particular object from others of like kind;
 - h. the price paid for the purchase or pawn of the item(s);
 - i. if precious metals, the net weight in terms of pounds Troy, pennyweight (Troy) or kilograms/grams; fineness in terms of karats for gold, and sterling or coin for silver, in accordance with N.J.S.A. 51:5-1, N.J.S.A. 51:6-1 et seq.;
 - j. the time and date of the transaction.

- D) The information outlined in subsection (C) above, must additionally be electronically documented through the use of an electronic database system authorized by the Chief of Police. Installation and training in this software will be made mandatory as of the effective date of this chapter and licensing will be conditional upon compliance with proper use of the system as described herein. These records shall be subject to the inspection of any authorized police officer or any sworn law enforcement officer acting in the performance of their duty as set forth in subsection (F) below. Through the use of applicably required computer equipment, and using the electronic format approved by the Chief of Police, every dealer shall enter all reportable transactions into the electronic database by the end of the close of business on the same date as the purchase or receipt of property for pawn or consignment. The information entered must contain all pertinent information outlined in subsection (C) above.
- E) In the event of a database failure, or a dealer's computer equipment malfunction, all transaction information is required to be submitted on paper forms approved by the Chief of Police within twenty-four (24) hours from the date of purchase. In the event that paper forms are used, the dealer is responsible to enter all transaction information set forth in subsection (C) above in to the database as soon as possible upon the dealer's equipment being repaired or replaced, or the database coming back into service. Failure by the dealer to properly maintain computer equipment in a reasonable fashion, or failure by the dealer to replace faulty computer equipment, may result in the dealer being cited for a violation of this chapter and subsequently being subject to the penalties for doing so including revocation of the dealer's license as described in § 6.
- F) It shall be the requisite duty of every dealer, and of every person in the dealer's employ, to admit to the premises during business hours any member of the police department to examine any database, book, ledger, or any other record on the premises relating to the reportable transactions of the precious metals or other secondhand goods, as well as the articles purchase or received and, where necessary, relinquish custody of the those articles as provided in § 6. Itinerant businesses and transient buyers will be responsible for notifying the Chief of Police of the address where these records and articles will be stored.

§__-6 Retention; revocation; other restrictions

- A) All precious metals and other secondhand goods purchased, received for pawn, or received for consignment as described above, are to be made

available for inspection by the Chief of Police or designee thereof at the designated business address for a period of at least fourteen (14) calendar days from the date the transaction information is actually reported to the Chief of Police in the approved manner described above in § 5 except for jewelry and precious metals, which must be maintained for at least ten (10) business days or for the statutory period provide in N.J.S.A. 2C:21-36(d). All other secondhand goods subject to inspection must remain in the same condition as when purchased or received for pawn and shall not be sold, disposed of, changed, or modified by the dealer until the fourteen-day retention period has expired. Itinerant businesses and transient buyers will be responsible for notifying the Chief of Police of the location where the purchased item(s) are being sold.

- B) Upon probable cause that goods held by a dealer are stolen, and providing that the seller signed the mandatory statement required by § 5(B) upon the sale of those goods, a law enforcement officer with jurisdiction should charge the seller with theft by deception under N.J.S.A. 2C:20-4 on behalf of the dealer, who shall be considered the “victim” of the offense for the purposes of N.J.S.A. 2C:43-3. The officer shall seize the goods, provide the dealer with a receipt, and issue a criminal complaint against the seller for theft by deception and any other criminal charges for which the officer has probable cause that the seller has committed. If convicted of theft by deception and if so found by an order of a court of valid jurisdiction, the seller will be responsible for providing restitution to the dealer under N.J.S.A. 2C:44-2 for the amount paid by the dealer to the seller for the stolen goods.
- C) If market conditions would create a hardship on the dealer by holding precious metals or other secondhand goods for such period, the dealer may present the property to the Chief of Police in order that it may be photographed and, if deemed necessary by the Chief of Police, an investigation may be implemented. The Chief of Police shall have the authority to grant the dealer a waiver of the requirement under this section.
- D) In addition to all other reporting requirements, every dealer shall maintain for at least five years, a written record of all purchases of precious metals and other secondhand goods in the form prescribed in § 5(C).
- E) No dealer shall purchase any item covered by this chapter from any person under the age of 18 or in the absence of providing prior notification of such purchase to the Chief of Police or business designee identifying the individual from whom such purchase is to be made and the item to be purchased.

- F) Suspension. The Chief of Police or a designee thereof is hereby empowered to temporarily suspend for cause any dealer's license and rights to operate thereunder. This penalty shall be in addition to any fines and penalties the dealer may incur pursuant to § 9 of this chapter.
- i. Grounds for suspension. The following shall constitute grounds for suspension: violation of any provisions of this chapter, including failure to comply with any training or fees associated with the electronic database software system in use by the municipality; violation of any other statute, regulation, or local ordinance; or any other illegal, improper, or fraudulent activity.
 - ii. Procedure for suspension. Upon determination that appropriate grounds exist and that a suspension is warranted, the Chief of Police or a designee thereof shall issue a written notice of suspension of license to the offending dealer and to the Municipal Clerk, which shall set forth the grounds for the suspension and notify the dealer of his or her right to appeal pursuant to subsection (H). A temporary suspension shall issue immediately, pending the outcome of any appeal taken. Suspended dealers must immediately cease engaging in the business of purchasing for resale, receiving for pawn, and/or selling of precious metals and/or other secondhand goods in the municipality until reinstatement.
 - iii. Reinstatement. Suspended dealers may be reinstated only when the grounds leading to the suspension have, in the determination of the Chief of Police or the Chief's designee, been cured, corrected, or appropriately rectified; or if reinstatement is deemed appropriate by the three-person panel appointed by the Chief of Police, upon the timely filing of an appeal as provided in subsection (H).
- G) Revocation. A license issued under this chapter may be revoked by the Municipal Clerk upon written recommendation from the Chief of Police or the Chief's designee that the dealer is no longer qualified, capable or competent to comply with the requirements of this chapter. This penalty shall be in addition to any fines and penalties the dealer may incur under § 9.
- i. Grounds for revocation. The following shall constitute grounds for revocation: a third violation under this chapter; a second

violation under this chapter less than one year after an earlier violation under this chapter; conviction for a criminal offense within this or any jurisdiction; or multiple violations of any other regulations or local ordinances within this or any jurisdiction.

- ii. Procedure for revocation. Upon a determination that appropriate grounds exist and that a revocation is warranted, the Chief of Police or the Chief's designee shall so report to the Municipal Clerk in writing. A temporary suspension will immediately and automatically issue, if one is not already in effect, pending the outcome of the charge. A three-person panel, appointed by the Chief of Police, shall review the stated grounds for revocation and the panel shall issue an appropriate disposition of either suspension, revocation, or reinstatement. If the panel determines that revocation is the appropriate disposition, it shall set forth the grounds for the same in writing in the form of a notice of revocation, which shall be provided to the dealer. The notice shall advise the dealer of the right to appeal. If the panel determines that suspension is the appropriate disposition, it shall provide the dealer with a notice of suspension that shall advise the dealer of the right to appeal. Following revocation, the dealer must relinquish his or her license and must immediately and indefinitely cease operating as a dealer of precious metals or other secondhand goods within the municipality.

- H) Appeal. Any applicant wishing to appeal an issuance of a suspension or revocation shall be entitled to a hearing before a three-person panel, appointed by the Chief of Police, at which time the applicant shall be permitted to introduce such evidence as may be deemed relevant to such suspension or revocation. Any applicant exercising the right to appeal must file a written notice of appeal within ten (10) days of receiving written notice of revocation or suspension of license.
- I) A dealer shall have the right to change the location of the licensed business, provided that he or she notifies the Municipal Clerk, in writing, of the street address of said new location.

§__-7 period of license validity

A license is valid for a one-year period from the date of its issuance. Any fees associated with the mandatory electronic database system shall be the sole responsibility of the applicant.

§__-8 Violations and penalties

Violation of any provision of this chapter by any dealer shall, upon conviction thereof, be punished by a fine not in excess of the limitations of N.J.S.A. 40:49-5 or by a term of imprisonment or a period of community service not exceeding ninety (90) days in addition to a suspension or revocation of operating license as provided in § 6(F) and § 6(G) above. Each and every violation shall be considered a separate violation. Each violation shall result in an additional suspension period. Any person who is found guilty of violating the provision of this chapter within one year of the date of a previous violation and who was fined for the previous violation may be sentenced by the court to an additional fine as a repeat offender and, in addition, may be subject to revocation proceedings as provided in § 6(G). The additional fine imposed as a repeat offender shall not be less than the minimum or exceed the maximum fine provided herein, and same shall be calculated separately from the fine imposed for the violation of this chapter.

§__-9 Time limit for conformance; repealer; severability

- A) Any person, partnership, limited liability company, corporation, or other entity engaging in the business of a pawnbroker, or a dealer in precious metals or other secondhand goods shall conform to the provisions of this chapter within ninety (90) days following the effective date of this chapter.
- B) All ordinances or parts of ordinances inconsistent herewith are hereby repealed.
- C) Nothing contained in this chapter is intended to replace any pre-existing statutory requirement governing pawnbrokers, as in N.J.S.A. 45:22-1 et seq., the sale of precious metals as in N.J.S.A. 51:6A-1 et seq., the sale of secondhand jewelry as in N.J.S.A. 2C:21-36 et seq., or any other statutory provision regarding any subject matter discussed herein.
- D) If any section, subsection, sentence, clause, phrase, or portion of this chapter is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

Motion made by Heinrich and seconded by Klimko to open the public portion for Ordinance 2017-06. Seeing no one, a motion was made by Heinrich, seconded by Klimko, to close the public portion of Ordinance 2017-06.

Motion made by Heinrich and seconded by Thompson to adopt Ordinance 2017-06 on second reading.

ROLL CALL: Heinrich, Thompson, Jones, Klimko, Valle, Higgins
Ayes: 5 Nays: 1 (Valle) Abstain: 1 (Higgins)
Motion Carried

ORDINANCE 2017-06
BOROUGH OF WASHINGTON
WARREN COUNTY
AN ORDINANCE AMENDING ORDINANCE 8-2015 FIXING THE SALARIES
OF THE OFFICERS AND EMPLOYEES OF THE BOROUGH OF WASHINGTON,
COUNTY OF WARREN AND STATE OF NEW JERSEY.

WHEREAS, the Governing Body of the Borough of Washington desires to amend the 2016 Salary Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Washington, Warren County, New Jersey, that the following salaries and rates of compensation shall be amended or added as follows:

Section 1

Council Members \$2,500.00-\$3,500.00 AN

Mayor \$3,000.00-\$4,000.00 AN

Stipend for Machine, Equipment and Vehicle Maintenance and Repair \$6,000.00-\$8,000.00 AN

Section 2

Severability. The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section of clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

Section 3

Repealer. Any Ordinance or parts thereof in conflict with the provisions of this Ordinance are hereby repealed as to their inconsistencies only.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Washington, County of Warren, State of New Jersey, that Ordinance No. 8-2015 be and hereby amended; and

BE IT FURTHER ORDAINED this Ordinance shall take effect immediately after final passage, approval and publication as provided by law.

Motion made by Heinrich and seconded by Thompson to open the public portion for Ordinance 2017-07. Mary Jo Harris inquired about what prompted this ordinance.

Motion made by Thompson, seconded by Jones, to close the public portion of Ordinance 2017-07.

Motion made by Heinrich and seconded by Klimko to adopt Ordinance 2017-07 on second reading.

ROLL CALL: Heinrich, Thompson, Jones, Klimko, Valle, Higgins

Ayes: 6 Nays: 0

Motion Carried

ORDINANCE 2017-07

AN ORDINANCE TO ESTABLISH STANDARDS FOR THE REGISTRATION AND MAINTENANCE OF VACANT AND ABANDONED RESIDENTIAL PROPERTIES IN FORECLOSURE BY CREDITORS

WHEREAS, mortgage foreclosures often result in the abandonment and neglect of residential properties; and

WHEREAS, P.L. 2014, c. 35, authorizes municipalities to adopt ordinances for the purpose of regulating the care, maintenance, security and upkeep of the exterior of vacant and abandoned residential properties for which a creditor has filed an action to foreclose; and

WHEREAS, it is in the public interest for the Borough of Washington to establish a mechanism to identify and track vacant and abandoned residential properties in the Borough which are in foreclosure, to establish standards for the maintenance of those properties and to enforce those standards of maintenance;

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Washington, County of Warren and State of New Jersey as follows:

Section 1

A new section § **25-18**. is to be added to the Code of the Borough of Washington entitled “Registration and Maintenance of Vacant and Abandoned Properties” as follows:

A. Definitions. As used in this section, the following terms shall have the meanings indicated:

ABANDONED PROPERTY — As defined in accordance with the Abandoned Properties Rehabilitation Act, N.J.S.A. 55:19-78 et seq., shall mean the following:

(1) Except as provided in Section 6 of P.L. 2003, c. 210 (N.J.S.A. 55:19-83), any property that has not been legally occupied for a period of six months and which meets any one of the following additional criteria may be deemed to be abandoned property upon a determination by the public officer that:

(a) The property is in need of rehabilitation in the reasonable judgment of the public officer, and no rehabilitation has taken place during that six-month period;

- (b) Construction was initiated on the property and was discontinued prior to completion, leaving the building unsuitable for occupancy, and no construction has taken place for at least six months as of the date of a determination by the public officer pursuant to this section;
 - (c) At least one installment of property tax remains unpaid and delinquent on that property in accordance with Chapter 4 of Title 54 of the Revised Statutes as of the date of a determination by the public officer pursuant to this section; or
 - (d) The property has been determined to be a nuisance by the public officer in accordance with Section 5 of P.L. 2003, c. 210 (N.J.S.A. 55:19-82).
- (2) A property which contains both residential and non-residential space may be considered abandoned pursuant to P.L. 2003, c. 210 (N.J.S.A. 55:19-78 et seq.) so long as two-thirds or more of the total net square footage of the building was previously legally occupied as residential space and none of the residential space has been legally occupied for at least six months at the time of the determination of abandonment by the public officer and the property meets the criteria of either Subsection (1)(a) or Subsection (1)(d) of this Subsection A.

EVIDENCE OF VACANCY —

- (1) Any condition that on its own or combined with other conditions present would lead a reasonable person to believe that the property is or has been vacant for three or more months. Such evidence would include, but is not limited to, evidence of the existence of two or more of the following conditions at a property: overgrown or dead vegetation; accumulation of newspapers, circulars, flyers or mail; past-due utility notices or disconnected utilities; accumulation of trash, junk or debris; the absence of window coverings such as curtains, blinds or shutters; the absence of furnishings or personal items consistent with residential habitation; statements by neighbors, delivery agents, or government employees that the property is vacant or abandoned; infestation by insects, vermin, rats or other pests; windows or entrances that are boarded up or closed off; multiple window panes that are damaged, broken or unrepaired; doors that are smashed, broken, unhinged or continuously unlocked; or any uncorrected violation of a municipal building, housing or similar code during the preceding year.
- (2) Property determined to be "abandoned property" in accordance with the meaning of such term in the Abandoned Properties Rehabilitation Act, N.J.S.A. 55:19-78 et seq., shall also be deemed to be vacant property for the purposes of this section.

OWNER — Shall include the title holder, any agent of the title holder having authority to act with respect to a vacant property, any foreclosing entity subject to the provisions of C.46:10B-51 (P.L. 2008, c. 127, § 17), or any other entity determined by the Borough of Washington to have authority to act with respect to the property.

VACANT PROPERTY — Any building used or to be used as a residence which is not legally occupied or at which substantially all lawful construction operations or residential occupancy has ceased for a period of at least three months, and any commercial property that has not been legally occupied or at which substantially all lawful construction operations have ceased for a period of at least three months, and which exhibits evidence of vacancy such that a reasonable person would believe that the property is vacant. Any property that contains all building systems in working order, is being maintained on a regular basis, has not been cited by the Township for any violation of municipal ordinance within such time and is being actively marketed by its owner for sale or rental shall not be deemed vacant.

B. General requirements.

- (1) The owner of any vacant or abandoned property as defined herein shall, within 30 days after the building becomes vacant property or within 30 days after assuming ownership of the vacant property, whichever is later; or within ten (10) calendar days of receipt of notice from the Borough, and annually thereafter, file a registration statement for each such vacant property with the Borough Clerk on forms provided by the Office the Clerk for such purposes. The registration shall remain valid until the end of the calendar year. The owner shall be required to renew the registration annually, no later than January 31, as long as the building remains vacant property and shall pay a registration or renewal fee in the amount prescribed in Subsection D of this section for each vacant property registered. Any failure to receive notice from the Borough shall not constitute grounds for failing to register the aforesaid properties.
- (2) Any owner of any building that meets the definition of abandoned or "vacant property" shall file a registration statement for that property on or before September 1, 2017. The registration statement shall include the information required under Subsection C of this section, as well as any additional information that the Clerk may reasonably require.
- (3) The owner shall notify the Clerk within 30 days of any change in the registration information by filing an amended registration statement on a form provided by the Clerk for such purpose.
- (4) The registration statement shall be deemed prima facie proof of the statement therein contained in any administrative enforcement proceeding or court proceeding instituted by the Borough of Washington against the owner or owners of the building.

C. Registration statement requirements; property inspection.

- (1) After filing a registration statement or a renewal of a registration statement, the owner of any vacant or abandoned property shall provide access to the Borough of Washington Code Enforcement Official if requested, following reasonable notice, during the period covered by the initial registration or any subsequent renewal. If an inspection is required of the interior of the property due to complaints or other cause, the fee for such inspection shall be the same as that for a certificate of occupancy inspection as provided in the applicable provisions of the Code of the Borough of Washington.
- (2) The registration statement shall include the name, street address, email address and telephone number of a natural person 21 years of age or older, designated by the owner or owners as the authorized agent for receiving notices of code violations and for receiving process in any court proceeding or administrative enforcement proceeding, on behalf of such owner or owners in connection with the enforcement of any applicable code. The designated agent must have a contact number that will be available 24 hours per day on an emergency basis. The statement shall also include the name of the person responsible for maintaining and securing the property, if different from the designated agent.
- (3) An owner who is a natural person and who meets the requirements of this section as to availability of a contact number on a twenty-four-hour emergency basis may designate himself or herself as agent.
- (4) By designating an authorized agent under the provisions of this section, the owner consents to receive any and all notices of code violations concerning the registered vacant property and all process in any court proceeding or administrative enforcement proceeding brought to enforce code provisions concerning the registered building by service of the notice or process on the authorized agent. Any owner who has designated an authorized agent under the provisions of this section shall be deemed to consent to the continuation of the agent's designation for the purpose of this section until the owner notifies the Borough of Washington of a change of the authorized agent or until the owner files a new annual registration statement. The designation of an authorized agent in no way releases the owner from any requirement of this section.

D. Fee schedule. The initial registration fee for each building shall be \$500. The fee for the first renewal is \$1,500. The fee for any subsequent renewal is \$3,000. After five years, the registration fee shall be \$5,000.

Vacant and Abandoned Property Registration Fee Schedule

Registration	Fee
Initial registration	\$500
First renewal	\$1,500
Any subsequent renewal up to five years	\$3,000
After five years	\$5,000

- E. Requirements for owners of vacant and abandoned property. The owner of any building that has become vacant and abandoned property, and any person maintaining, operating or collecting rent for any such building that has become vacant, shall, immediately:
- (1) Post a sign affixed to the inside of the building indicating the name, address and telephone number of the owner, the owner's authorized agent for the purpose of service of process (if designated pursuant to Subsection C of this section), and the person responsible for the day-to-day supervision and management of the building, if such person is different from the owner holding title or authorized agent. The sign shall be of a size and placed in such a location so as to be legible from the nearest public street or sidewalk, whichever is nearer, but shall be no smaller than 15 inches by 17 inches; and
 - (2) Enclose and secure the building against unauthorized entry as provided in the applicable provisions of the Code of the Borough of Washington and maintain the sign required in Subsection E(1) above until the building is again legally occupied or demolished or until repair or rehabilitation of the building is complete; and
 - (3) Make provision for the maintenance of the lawn and yard, including regular grass cutting as required by the applicable provisions of the Code of the Borough of Washington; and
 - (4) Make provision for the cessation of the delivery of mail, newspapers and circulars to the property, including having the property listed on the exclusion list maintained by the Borough of Washington Clerk for the delivery of circulars and advertisements to the property; and
 - (5) Make provision for the winterizing of the property by the cessation of water service to the property and the draining of water lines; and
 - (6) Make provision for the cessation of electric or gas utility services to the property; and
 - (7) Make provision for the regular maintenance of the exterior of the property.
- F. Administration. The Borough of Washington Mayor and Council may issue rules and regulations for the administration of the provisions of this section.
- G. Violations and penalties.
- (1) Any owner who is not in full compliance with this section or who otherwise violates any provision of this section or of the rules and regulations issued hereunder shall be subject to a fine of \$1,500.00 for each offense. Every day that a violation continues shall constitute a separate and distinct offense. Fines assessed under this section shall be recoverable from the owner and shall be a lien on the property.

- (2) For purposes of this section, failure to file a registration statement in time, failure to provide correct information on the registration statement, failure to comply with the provisions of Subsection E of this section, or such other matters as may be established by the rules and regulations of the Council of the Borough of Washington shall be deemed to be violation of this section.

H. Compliance with other provisions. Nothing in this section is intended to nor shall be read to conflict or prevent the Borough of Washington from taking action against buildings found to be unfit for human habitation or unsafe structures as provided in applicable provisions of the Code of the Borough of Washington and/or the Uniform Construction Code. Further, any action taken under any such code provision other than the demolition of a structure shall not relieve an owner from its obligations under this section.

I REPEAL

All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

II SEVERABILITY

If any section, subsection, clause or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the remaining portions of this ordinance.

III EFFECTIVE DATE

This Ordinance shall take effect 20 days after final passage and publication according to law.

Motion made by Heinrich and seconded by Klimko to open the public portion for Ordinance 2017-08. Mary Jo Harris asked what the purpose of the Ordinance is.

Motion made by Jones, seconded by Thompson, to close the public portion of Ordinance 2017-08.

Motion made by Heinrich and seconded by Jones to adopt Ordinance 2017-08 on second reading.

ROLL CALL: Heinrich, Thompson, Jones, Klimko, Valle, Higgins
Ayes: 5 Nays: 1 (Valle)
Motion Carried.

ORDINANCE NO. 2017-08
BOROUGH OF WASHINGTON
AN ORDINANCE PROVIDING FUNDING FOR VARIOUS CAPITAL
PURPOSES FOR THE BOROUGH OF WASHINGTON AND
APPROPRIATING \$400,000 FOR SUCH PURPOSE.

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF WASHINGTON, IN THE COUNTY OF WARREN AND STATE OF NEW JERSEY, AS FOLLOWS:

Section 1. The Borough of Washington, in the County of Warren, New Jersey, authorizes various capital improvements to be undertaken, including but not limited to Library Building improvements, various road improvements, acquisition of computer equipment and acquisition of a back hoe for the Department of Public Works for the Borough of Washington, to be funded from the sources specified in Section 2 of the Ordinance.

Section 2. The amount of \$400,000 is hereby appropriated for the purposes stated in Section 1 of the Ordinance and which amount was funded from the Capital Improvement Fund in the amount of \$400,000.

Section 3. In connection with the purpose and the amount authorized in Sections 1 and 2 hereof, the Borough determines the purpose described in Section 1 hereof is not a Current Expense and is an improvement which the Borough of Washington may lawfully make as a general improvement.

Section 4. All ordinances or parts of ordinances which are inconsistent with the terms of this Ordinance be and the same are hereby repealed to the extent of their inconsistency.

Section 5. This Ordinance shall take effect immediately upon due passage and publication according to law.

Motion made by Thompson and seconded by Heinrich to open the public portion for Ordinance 2017-09. Mayor Higgins stated the purpose of the ordinance being a reduction in payments due to a lower interest rate.

Motion made by Valle, seconded by Klimko, to close the public portion of Ordinance 2017-09.

Motion made by Heinrich and seconded by Klimko to adopt Ordinance 2017-09 on second reading.

ROLL CALL: Heinrich, Thompson, Jones, Klimko, Valle, Higgins

Ayes: 6 Nays: 0

Motion Carried.

NEW BUSINESS

Resolutions 2017-118 through 120 were moved on a motion made by Heinrich and seconded by Valle and adopted.

Ayes: 7, Nays: 0
Motion Carried

RESOLUTION #118-2017 **A RESOLUTION FOR REDEMPTION OF TAX CERTIFICATE** **As per N.J.S.A.54:5**

KNOW ALL PERSONS BY THESE PRESENTS THAT, WHEREAS, lands in the taxing district of Washington Borough, County of Warren, State of New Jersey, were sold on October 21, 2016 to US Bank Cust for Pro Capital 5 Sterling National, 50 S 16th Street, Suite 2050, Philadelphia, PA 19102, in the amount of \$500.25 for taxes or other municipal liens assessed for the year 2015 in the name of Bottini, Gilbert & Alfred/Esteves, S. as supposed owners, and in said assessment and sale were described as 5 McKinley Avenue, Block 47 Lot 1, which sale was evidenced by Certificate #16-00045; and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 5-9-17 and before the right to redeem was cut off, as provided by law, Comerica Bank on behalf of Corelogic Tax Services claiming to have an interest in said lands, did redeem said lands claimed by US Bank Cust for Pro Capital 5 by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$1,196.56 which is the amount necessary to redeem Tax Sale Certificate #16-00045.

NOW THEREFORE BE IT RESOLVED, on this 16th day of May, 2017 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to US Bank Cust for Pro Capital 5 Sterling National, 50 S 16th Street, Suite 2050, Philadelphia, PA 19102 in the amount of **\$2,396.56** (This amount consists of \$1,196.56 Certificate Amount redeemed + \$1,200.00 Premium).

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 47 Lot 1 from the tax office records.

RESOLUTION #119-2017 **A RESOLUTION FOR REDEMPTION OF TAX CERTIFICATE** **As per N.J.S.A.54:5**

KNOW ALL PERSONS BY THESE PRESENTS THAT, WHEREAS, lands in the taxing district of Washington Borough, County of Warren, State of New Jersey, were sold on October 21, 2016 to US Bank Cust for Pro Capital 5 Sterling National, 50 S 16th Street, Suite 2050, Philadelphia, PA 19102, in the amount of \$705.59 for taxes or other municipal liens assessed for the year 2015 in the name of Henderson, Shawanda M. & Isaac J. as supposed owners, and in said assessment and sale were described as 5 McKinley Avenue, Block 98 Lot 36, which sale was evidenced by Certificate #16-00079; and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 5-9-17 and before the right to redeem was cut off, as provided by law, Comerica Bank on behalf of Corelogic Tax Services claiming to have an interest in said lands, did redeem said lands claimed by US Bank Cust for Pro

Capital 5 by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$1,500.30 which is the amount necessary to redeem Tax Sale Certificate #16-00079.

NOW THEREFORE BE IT RESOLVED, on this 16th day of May, 2017 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to US Bank Cust for Pro Capital 5 Sterling National, 50 S 16th Street, Suite 2050, Philadelphia, PA 19102 in the amount of **\$1,500.30**.

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 98 Lot 36 from the tax office records.

RESOLUTION #120-2017
A RESOLUTION FOR REDEMPTION OF TAX CERTIFICATE
As per N.J.S.A.54:5

KNOW ALL PERSONS BY THESE PRESENTS THAT, WHEREAS, lands in the taxing district of Washington Borough, County of Warren, State of New Jersey, were sold on October 21, 2016 to FWDSL & Associates LP, 17 W. Cliff St., Somerville, NJ 08876, in the amount of \$700.83 for taxes or other municipal liens assessed for the year 2015 in the name of Ortiz, Ana D. as supposed owner, and in said assessment and sale were described as 64 East Church Street, Block 27.02 Lot 5, which sale was evidenced by certificate #16-00030; and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 5-9-17 and before the right to redeem was cut off, as provided by law, Comerica Bank on behalf of Corelogic Tax Service claiming to have an interest in said lands, did redeem said lands claimed by FWDSL & Associates LP by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$1,420.77 which is the amount necessary to redeem Tax Sale Certificate #16-00030.

NOW THEREFORE BE IT RESOLVED, on this 16th day of May, 2017 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to FWDSL & Associates LP, 17 W. Cliff St., Somerville, NJ 08876 in the amount of **\$3,120.77** (This consists of \$1,420.77 Certificate Amount redeemed + \$1,700.00 Premium).

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien.

Motion made by Jones and seconded by Klimko to approve Resolution 2017-90.
Ayes: 4, Nays: 0, Abstain: 2 (Higgins & Thompson)
Motion Carried

Resolution 2017-90

**Memorandum of Agreement between the Borough of Washington and the
Communications Workers of America, Local 1032, AFL-CIO**

WHEREAS, the Borough of Washington and the Communications Workers of America Local 1032, AFL-CIO, are parties to a collective bargaining agreement; and

WHEREAS, the collective bargaining agreement is in full force and effect through December 31, 2018; and

WHEREAS, the parties are in agreement that the Borough has outside contracts with vendors covering work related to the repair of Borough vehicles and equipment; and

WHEREAS, the parties acknowledge that on occasion member(s) of the CWA bargaining unit perform work related to the repair of Borough vehicles and equipment; and

WHEREAS, the parties recognize that such work can sometimes be performed in a more cost-efficient manner when done by Borough employee(s); and

WHEREAS, the parties further recognize that repair of Borough vehicles and equipment should be done in as timely and cost-effective manner as possible to the benefit of both the Borough and the taxpayers;

THEREFORE, in recognition of the above, the parties enter into the following Agreement:

- Effective 4/1/2017, Ken Hoy shall assume responsibilities related to the maintenance and repair of all Borough vehicles and equipment.
- Ken Hoy shall retain his permanent title of Equipment Operator and shall receive his salary and benefits for that position in accordance with the terms of the collective bargaining agreement.
- In recognition of the additional work related to the maintenance and repair of Borough vehicles and equipment, Mr. Hoy shall receive an annual stipend of \$7,000.00.
- Payment of this stipend shall continue through December 31, 2018.
- All other terms of the parties collective bargaining agreement remain in full force and effect.
- Any dispute arising from the terms of this agreement shall be subject to the contractual grievance procedure.

Motion made by Jones and seconded by Klimko to approve Resolution 2017-122 (originally mis-numbered as 2017-121).

Ayes: 6, Nays: 0
Motion Carried

RESOLUTION 2017-122
RESOLUTION AUTHORIZING
THIRD PARTY PAYROLL DISBURSEMENTS

WHEREAS, N.J.A.C. 5:30-1, entitled "Electronic Disbursement Controls for Payroll Purposes," sets forth standards for local governments to follow when contracting with an organization to make disbursements on behalf of the local unit, as permitted by N.J.S.A. 52:27D-20.1; and

WHEREAS, the Borough Council of the Borough of Washington must formally approve payroll service provider access to Borough funds, assign responsibility to an official to oversee the process, and enact policies regulating payroll disbursements by payroll service providers;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Washington, in the County of Warren, State of New Jersey as follows:

1. Primepoint, Inc. is authorized to prepare any necessary payment documentation and make payroll and payroll agency disbursements on behalf of the Borough by executing such disbursements from the Borough's designated bank accounts, or by taking possession of Borough funds to make such disbursements and to hold those funds pending transmittal.
2. Primepoint, Inc. shall use its own customized programming process to execute disbursements for the Borough.
3. The Chief Financial Officer is hereby appointed the approval officer and shall be responsible for authorizing and supervising the activities of the payroll service with respect to the disbursement of Borough funds, and shall further be charged with the reconciliation and analysis of all Borough general ledger accounts affected by the activities of the disbursing organization.
4. Primepoint, Inc. shall be required to report any irregularities that may indicate potential fraud, noncompliance with appropriate laws, dishonesty or gross incompetence on the part of any approval officer.
5. Primepoint, Inc. shall report circumstances that could jeopardize its ability to continue operations or otherwise interrupt the service provided to the Borough.
6. Primepoint, Inc. shall comply with the requirements of N.J.A.C. 5:30-17.5 by providing documentation on an annual basis that Primepoint, Inc. has its own internal controls and appropriately safeguards against theft and other adverse conditions.

Motion made by Jones and seconded by Klimko to approve Resolution 2017-123 (originally mis-numbered as 2017-122).

Ayes: 5, Nays: 1(Valle)
Motion Carried

RESOLUTION # 2017-123
A RESOLUTION FIXING THE SALARY AND WAGES
OF CERTAIN MUNICIPAL OFFICIALS

WHEREAS; the Borough of Washington (“Borough”) and the Communications Workers of America, AFL-CIO (“Union”) engaged in negotiations and approved a successor Collective Negotiations Agreement (“Agreement”) for 2016-2018; and

WHEREAS; the Mayor and Council of the Borough of Washington wish to extend salary increases negotiated therein to non-union classified and unclassified employees not covered by other agreements or by the unclassified salary schedule herein;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Washington, County of Warren, State of New Jersey:

1. Terminated employees shall not receive increases.
2. Health benefit deductions shall be paid at the full rate effective 1/1/2017.
3. Salaries for employees listed separately below shall be as follows:

<u>POSITION TITLE</u>	<u>UNCLASSIFIED SERVICE SALARY SCHEDULE</u> <u>SALARY OR WAGE RANGE</u>
Municipal Manager	\$83,000/AN
Municipal Clerk	\$75,000/AN
Mayor	\$4,000.00/AN
Council Member	\$3,000.00/AN

Motion made by Thompson and seconded by Klimko to approve Resolution 2017-124.

Ayes: 6, Nays: 0
Motion Carried

RESOLUTION 2017-124
RICK FELDMAN TO PERMANENT POSITION
RECREATION COMMISSION

WHEREAS, the Borough of Washington, Warren County, New Jersey is governed by Plan “E” of Municipal Charter Law; and

WHEREAS, under this plan, the Mayor of the Borough is to appoint the members of the Recreation Commission for Washington Borough with the consent of the Borough Council; and

WHEREAS, the Mayor has designated the following person as his appointee:

Sean Farrington as Alternate

WHEREAS, the Borough Council does approve of this appointment.

NOW, THEREFORE, BE IT RESOLVED, that the above-named person is appointed to the Recreation Commission for a term ending **12/31/2021**.

Motion made by Thompson and seconded by Klimko to approve Resolution 2017-125.

Ayes: 6, Nays: 0

Motion Carried

RESOLUTION 2017-125
SEAN FARRINGTON TO ALTERNATE POSITION
RECREATION COMMISSION

WHEREAS, the Borough of Washington, Warren County, New Jersey is governed by Plan “E” of Municipal Charter Law; and

WHEREAS, under this plan, the Mayor of the Borough is to appoint the members of the Recreation Commission for Washington Borough with the consent of the Borough Council; and

WHEREAS, the Mayor has designated the following person as his appointee:

Rick Feldman

WHEREAS, the Borough Council does approve of this appointment.

NOW, THEREFORE, BE IT RESOLVED, that the above-named person is appointed to the Recreation Commission for a term ending **12/31/2019**.

Motion made by Thompson and seconded by Klimko to approve the Block Party request submitted by Mr. Bray at

11 Sunrise Terrace, condition on input from all departments.

Ayes: 6, Nays: 0

Motion Carried.

VOUCHERS AND CLAIMS

Motion made by Heinrich seconded by Thompson to pay the vouchers and claims in the amount of \$1,242,785.55.

Roll Call: Heinrich, Higgins, Jones, Klimko, Thompson and Valle.

Ayes: 6, Nays: 0

Abstention: Thompson abstains from any Fire and EMS bills.

Motion Carried

COUNCIL REMARKS

Manager Hall will follow up with the water company regarding paving on West Warren Street. Mr. Hall will look into parking solutions for the Broad Street parking lot and will look into having the crossing guards enforce parking ordinance.

Mr. Hall will continue to work on personnel manual with an adoption at the second meeting in June.

Mr. Hall gave an update of the bids that were received for the Mid-Block Crossing. The low bidder was Diamond Construction with a total bid of \$107,642.00. After review from the Engineer it is now estimated to be at \$103,142.00. Construction will commence immediately after the scheduled car show in June.

Councilman Jones asked for an update on the Clapp program. M. Hall answered that the street ordinance needs to be finalized before the painting of the curbs.

Councilwoman Klimko discussed the alley way next to Arcana stating it is a disaster. Weeds are high around all the trees, and inquired about hiring summer help for the DPW and the lights at the pocket park. M. Hall was able to speak with someone at Verizon, a line that was hanging was hitting against the lights blowing them out. A remedy is being made to stop the phone line from swaying and hitting the light globes.

Councilman Thompson inquired about the Garbage on Railroad Avenue and Youmans. M. Hall stated he is waiting for the rail road to send leases for the borough to sign in order to maintain the embankment.

Councilman Thompson thanked all Veterans for their service.

M. Hall gave the cost of replacing and fixing the borough hall roof; \$70,000 to replace and another \$30,000 for the soffits. This will be put into the capital budget for next year.

Mayor Higgins thanked the EMS personnel for their service. Mayor Higgins asked that the Streets Committee look into grants for next year for Grand Avenue.

Mayor Higgins inquired about having a Facebook page for the Borough. Mayor Higgins reminded everyone about the Borough's 150th anniversary set for next year. Mayor Higgins suggested to include Washington Celebrates America committee on the planning of the celebration.

Mayor Higgins recognized Manager Hall on his graduation tomorrow of his Masters in Public Administration degree.

Mayor Higgins thanked the public for their patience and understanding with the council dealing with the current issue of the former clerk/manager.

Hearing no further business motion made by Thompson, seconded by Jones to adjourn the meeting at 8:20 p.m., all were in favor.

Mayor Dave Higgins

Laurie A. Barton, RMC, Borough Clerk